

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION**

JONATHAN ALFORD,
INDIVIDUALLY AND ON BEHALF
OF ALL OTHERS SIMILARLY
SITUATED,

PLAINTIFF,

VS.

UNITED COMMUNITY BANKS,
INC., JIMMY C. TALLENT, GUY W.
FREEMAN, ROBERT L. HEAD, JR.,
W.C. NELSON, JR., ROBERT
BLALOCK, CATHY COX, HOYT O.
HOLLOWAY, JOHN D. STEPHENS,
TIM WALLIS, BENEFITS
ADMINISTRATIVE COMMITTEE OF
UNITED COMMUNITY BANKS,
INC., CATHERINE HAMBY, BRAD
MILLER, REX SCHUETTE, BILL
GILBERT, SUSIE HOOPER, AND
DOES 1-10,

DEFENDANTS.

CIVIL ACTION

NO. 2:11-CV-00309-WCO

**PLAINTIFF'S UNOPPOSED MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION SETTLEMENT, PRELIMINARY CERTIFICATION
OF SETTLEMENT CLASS, APPROVAL OF CLASS NOTICE, AND
SCHEDULING OF A FINAL APPROVAL HEARING**

Plaintiff Jonathan Alford (“Named Plaintiff” or “Plaintiff”), a participant in the United Community Banks, Inc. Profit Sharing Plan (the “Plan”), respectfully submits this Unopposed Motion for Preliminary Approval of the Proposed Settlement (“Motion for Preliminary Approval”) entered into with Defendants,¹ and respectfully moves this Court for an Order (1) granting preliminary approval to the proposed Settlement Agreement And Release (the “Settlement” or “Settlement Agreement”), (2) preliminarily certifying the Settlement Class, (3) approving the form and manner of providing notice of the Settlement to the proposed Settlement Class (the “Notice Plan”), and (4) scheduling of a Final Approval Hearing. In support of this unopposed motion, Plaintiff submits a memorandum of law filed contemporaneously herewith.

For the reasons set forth in the accompanying memorandum of law, Plaintiff submits that the proposed Settlement is fair, reasonable, and adequate. Additionally, the proposed Settlement Class satisfies the requirements of Federal

¹ The Settlement Agreement is attached as Exhibit A to the memorandum of law filed contemporaneously herewith and itself has several exhibits. These exhibits include the proposed Preliminary Approval Order proposed by the Parties to the Settlement Agreement, which is appended to the Settlement Agreement as Exhibit 1, and is attached hereto. The provisions of the Settlement Agreement, including all definitions and defined terms, are incorporated by reference herein. Thus, all capitalized terms not otherwise defined in the instant memorandum shall have the same meaning as ascribed to them in the Settlement Agreement.

Rule of Civil Procedure 23(a) and (b)(1), thereby warranting preliminary certification of the proposed Settlement Class for the purposes of this Settlement. Moreover, the proposed plan for sending notice of the Settlement to Settlement Class Members (the “Notice Plan”) satisfies the requirements of due process and is consistent with that used in analogous actions. Accordingly, Plaintiff respectfully submits that preliminary approval of the Settlement should be granted, the Settlement Class should be certified, the Notice Plan should be approved, and a Final Approval Hearing should be scheduled.

A form of [Proposed] Order is attached hereto.

DATED: July 23, 2013

Respectfully submitted,

/s/ Mark K. Gyandoh

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LOCAL RULE 7.1D CERTIFICATION

Undersigned counsel hereby certifies that this brief has been prepared in Times New Roman 14 point, which is one of the font and point selections approved by this Court under Local Rules 5.1B.

/s/ Mark K. Gyandoh

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CERTIFICATE OF SERVICE

The Undersigned hereby certifies that on this 23rd day of July 2013, a true and accurate copy of Plaintiff's Unopposed Motion For Preliminary Approval of Class Action Settlement, Preliminary Certification of the Settlement Class, Approval of Class Notice, And Scheduling of a Final Approval Hearing was filed electronically with the Clerk of Court using the CM/ECF system, which will send electronic notification to all counsel of record.

/s/ Mark K. Gyandoh